

## U.S. Department of Justice

United States Attorney  
Southern District of New York

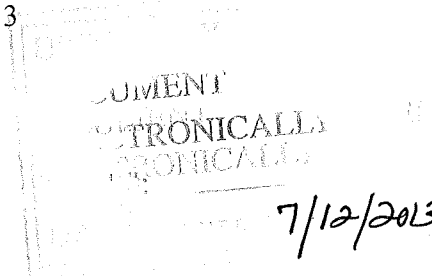
The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

July 12, 2013

**By E-mail**

The Honorable Denise Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

D & F  
7/12/13



Re: **United States v. Viera, et al., S2 11 Cr. 1072 (DLC)**

Dear Judge Cote:

We write to advise the Court concerning the status of the case, which involves 49 defendants, so that the Court can begin to make preparations for the trial set to commence on September 16, 2013. As we explain more fully below, our best estimate is that virtually all of the defendants have entered or will enter guilty pleas, and that there is one defendant whose counsel has communicated that his current intention is to go to trial and four defendants whose status is unknown, and whom we presume for purposes of discussing trial planning will go to trial.

As of the submission of the letter, the following 20 defendants, who were arrested and are charged in the counts indicated, have not yet entered pleas of guilty<sup>1</sup>:

NAME	COUNTS
Carlos Alberto Padron	1,2
Juan Manuel Tavarez Padilla	1,2
Israel Tacher	1,2
Roberto Tacher	1,2
Eligio Armas	1,2
Hanser Olivo Liranzo	1,2,4
Fary R. Caba Padilla	1,2
Americo Luis Garcia Dominguez	1,2
Wilfred Rodriguez	1,2
Jose Ramon Gonzalez	1,2
Brenda Santos	4

<sup>1</sup> The following five charged defendants are fugitives: Juan Tavarez, Aura Tavarez, Edwin Tavarez, Carlos Peralta, and Yoel Fernandez. In addition, Vanessa Rosario is scheduled to plead guilty today, July 12, 2013, at 2:00 p.m.

Ira Karp	4
Joel Gabriel Casado	4
Jose Felipe	5
Arelis Lee	5
Milagros Acevedo	5
Alex Oria	1,2,6
Joe H. Nelson	1,2,6
Conrado Vazquez	1,2
Abel Gonzalez	1,2

Out of the 20 defendants reflected on the chart above, 8 have reached agreements with the Government and are scheduled to enter guilty pleas on the following dates:

NAME	DATE
Carlos Alberto Padron	August 7 (conclusion of previously started plea)
Juan Manuel Tavarez Padilla	July 23
Israel Tacher	July 23
Eligio Armas	July 24
Fary R. Caba Padilla	July 26
Americo Luis Garcia Dominguez	July 19
Joel Gabriel Casado	July 15
Abel Gonzalez	July 23

Of the 12 remaining defendants who are not yet scheduled to plead on a particular date, through discussions with defense counsel, the Government understands that the following 7 defendants will be entering a disposition prior to trial on dates to be determined:

NAME
Roberto Tacher
Hanser Olivo Liranzo
Wilfred Rodriguez
Ira Karp
Arelis Lee
Milagros Acevedo
Alex Oria

We address the remaining 5 defendants below:

NAME	STATUS	COUNTS
Conrado Vazquez	Counsel indicates that Vazquez's current intention is to proceed to trial.	1,2
Jose Ramon Gonzalez	Discussions are ongoing.	1,2
Joe H. Nelson	Discussions are ongoing.	1,2,6
Brenda Santos	On July 10, Santos was appointed new counsel; discussions are ongoing with the Government.	4
Jose Felipe	Counsel is scheduled to notify us of his decision whether to accept a plea offer later today, July 12, 2013.	5

As of the submission of this letter, the Government's best estimate is that only Conrado Vazquez will proceed to trial. However, for planning purposes, we will assume that the five defendants whose counsel have not yet communicated an intention to enter a disposition are proceeding to trial. All five of these defendants are released on bail. If all five defendants proceed to trial, the Government would suggest that Vazquez, Gonzalez and Nelson be tried together, as they are all charged in Counts 1 and 2 of S2 11 Cr. 1072 (DLC). Nelson is additionally charged in Count 6, which involves money laundering related to the same conduct as alleged in Counts 1 and 2. The Government currently estimates that its case-in-chief could last approximately three weeks.

As to the remaining defendants, Santos and Felipe, each is charged in a separate narcotics conspiracy; Santos is charged in Count 4 and Felipe is charged in Count 5. The Government would suggest that Santos and Felipe be tried in trials separate from the Count 1, 2 and 6 defendants and separate from each other. The Government estimates that the Government's case-in-chief against each of them would last no longer than three days.

We intend to update the Court as further developments concerning defendants intending to proceed to trial arise.

Respectfully submitted,

PREET BHARARA  
United States Attorney

By: s/ Jason Masimore  
Jason A. Masimore  
Russell Capone  
Edward B. Diskant  
Assistant United States Attorneys

cc: All counsel (by email to discovery coordination counsel, Adam D. Perlmutter, Esq.)